
**United States Court of Appeals
for the District of Columbia Circuit**

No. 25-5097 (Consolidated with 25-5098)

GLOBAL HEALTH COUNCIL; SMALL BUSINESS ASSOCIATION FOR
INTERNATIONAL COMPANIES; HIAS; MANAGEMENT SCIENCES FOR
HEALTH, INC.; CHEMONICS INTERNATIONAL, INC.; DAI GLOBAL LLC;
DEMOCRACY INTERNATIONAL, INC.; AMERICAN BAR ASSOCIATION,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, in his official capacity as President of the
United States of America;

(For Continuation of Caption See Inside Cover)

*On Appeal from the United States Court for the District of Columbia
in Case No. 1:25-cv-00402-AHA.*

**MOTION FOR INVITATION FROM THIS COURT, PURSUANT TO
D.C. CIRCUIT RULE 40(F), TO SUBMIT AN *AMICI CURIAE*
BRIEF IN SUPPORT OF PLAINTIFFS-APPELLEES'
PETITION FOR REHEARING *EN BANC***

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August 20, 2025



MARCO RUBIO, in his official capacity as Secretary of State and Acting Administrator of the United States Agency for International Development; PETER MAROCCO, in his official capacity as Acting Deputy Administrator for Policy and Planning, Acting Deputy Administrator for Management and Resources of the United States Agency for International Development, and Director of Foreign Assistance at the Department of State; RUSSELL T. VOUGHT, in his official capacity as Director of the Office of Management and Budget; United States Department of State; United States Agency for International Development; Office of Management and Budget,

Defendants-Appellants.

STATE OF OHIO, *Amicus Curiae* for Appellant PROTECT DEMOCRACY PROJECT, INC., *Amicus Curiae* for Appellee STATE OF SOUTH CAROLINA, *Amicus Curiae* for Appellant ALAN BUTLER MORRISON; CONSTITUTIONAL ACCOUNTABILITY CENTER, *Amici Curiae* for Appellee STATE OF ALABAMA, *Amicus Curiae* for Appellant WILLIAM W. BUZBEE, *Amicus Curiae* for Appellee STATE OF ALASKA, *Amicus Curiae* for Appellant NOAH ROSENBLUM, *Amicus Curiae* for Appellee STATE OF ARKANSAS, *Amicus Curiae* for Appellant JODI SHORT, *Amicus Curiae* for Appellee STATE OF FLORIDA, *Amicus Curiae* for Appellant DISTRICT OF COLUMBIA, *Amicus Curiae* for Appellee STATE OF GEORGIA; STATE OF INDIANA; STATE OF IOWA, *Amici Curiae* for Appellant STATE OF COLORADO, *Amicus Curiae* for Appellee STATE OF KANSAS, *Amicus Curiae* for Appellant STATE OF CALIFORNIA, *Amicus Curiae* for Appellee STATE OF LOUISIANA, *Amicus Curiae* for Appellant STATE OF ARIZONA, *Amicus Curiae* for Appellee STATE OF MISSISSIPPI, *Amicus Curiae* for Appellant STATE OF CONNECTICUT, *Amicus Curiae* for Appellee STATE OF NEBRASKA, *Amicus Curiae* for Appellant STATE OF DELAWARE, *Amicus Curiae* for Appellee STATE OF NORTH DAKOTA, *Amicus Curiae* for Appellant STATE OF HAWAII, *Amicus Curiae* for Appellee STATE OF OKLAHOMA, *Amicus Curiae* for Appellant STATE OF ILLINOIS, *Amicus Curiae* for Appellee STATE OF SOUTH DAKOTA, *Amicus Curiae* for Appellant STATE OF MAINE, *Amicus Curiae* for Appellee STATE OF TENNESSEE, *Amicus Curiae* for Appellant STATE OF MARYLAND, *Amicus Curiae* for Appellee STATE OF TEXAS, *Amicus Curiae* for Appellant STATE OF MASSACHUSETTS, *Amicus Curiae* for Appellee STATE OF UTAH, *Amicus Curiae* for Appellant STATE OF MICHIGAN, *Amicus Curiae* for Appellee STATE OF WEST VIRGINIA, *Amicus Curiae* for Appellant STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN, *Amici Curiae* for Appellee

Movants Physicians for Human Rights (“PHR”), Dr. Dvora Joseph Davey, Dr. Salim Safurdeen Abdool Karim, and Mary “Doe”¹ respectfully request an invitation from this Court, pursuant to D.C. Circuit Rule 40(f), to submit a brief as *amici curiae* in support of Plaintiffs-Appellees’ Petition for Rehearing En Banc. Pursuant to D.C. Circuit Rule 29(b), undersigned counsel for Movants represent that all Plaintiffs-Appellees consent to the filing of this brief. As of the time of this filing, Defendants-Appellants have not taken a position on the filing.

I. Interest of Prospective *Amici Curiae*

PHR, which shared in the Nobel Peace Prize, is an international non-profit organization that has worked for over 35 years at the intersection of science, medicine, public health, and the law to advocate for human rights and promote accountability and justice for mass atrocities. PHR works in the Democratic Republic of the Congo (“DRC”), Ethiopia, Kenya, Iraq, Syria, Ukraine and the United States. PHR’s staff and partners are on the frontlines of witnessing the impact of the U.S. global health aid interruptions on public health and human rights, including in conflict and crisis zones where the risk of infectious disease outbreaks and food insecurity is often heightened. In 2025, PHR conducted

¹ Mary is identified by her first name only to protect her children from stigma and discrimination.

research on the impact of the U.S. global health funding cuts on public health and human rights in Kenya, the DRC, Ethiopia, Uganda, and Tanzania.

Dr. Dvora Joseph Davey is an infectious disease epidemiologist with over 20 years of experience in maternal and newborn health research and program evaluation. She is an Associate Professor (Adjunct) in the Department of Epidemiology and Division of Infectious Diseases in the Geffen School at UCLA. She is also an Honorary Associate Professor of Epidemiology at the University of Cape Town in South Africa, where she is based. Prior to joining the faculty at UCLA, Dr. Davey was a Country Director and Technical Director for an NGO implementing HIV prevention and treatment programs in Mozambique. Dr. Davey completed her doctoral studies at the University of California, Los Angeles and her Master's degree in public health at Columbia University.

Dr. Davey is the Principal Investigator of several large NIH-funded studies that evaluate interventions to improve HIV prevention and sexually transmitted infection diagnostics and treatment in pregnant and lactating populations. One study, called Scope-PP, which began in 2023, sought to optimize the rollout of PrEP (pre-exposure prophylaxis, medication taken by HIV-negative people to prevent them acquiring HIV) in eight maternity clinics across Cape Town. In 2024, three babies total were born with HIV in the clinics in Dr. Davey's study.

But by the end of May 2025, alone, there had already been three babies born with HIV.

Dr. Salim S. Abdoool Karim is a clinical infectious diseases epidemiologist with more than three decades of work in HIV prevention and treatment. He is Director of the Centre for the AIDS Programme of Research in South Africa (CAPRISA) and Pro Vice-Chancellor for Research at the University of KwaZulu-Natal, South Africa. He serves as the CAPRISA Professor of Global Health in Epidemiology at Columbia University. He is an Adjunct Professor of Immunology and Infectious Diseases at Harvard University and Adjunct Professor of Medicine at Cornell University. He has also held key global advisory roles, including Special Advisor on pandemics to the Director-General of the World Health Organization (WHO), Chair of the WHO's HIV and Hepatitis Scientific and Technical Advisory Group and a member of the WHO HIV-Tuberculosis Task Force. He serves on the Boards of the *New England Journal of Medicine*, *Lancet-Global Health*, *Lancet-HIV* and the *Journal of AIDS*.

His clinical research on HIV-Tuberculosis treatment has shaped international guidelines on the clinical management of co-infected patients, saving thousands of lives. His research on tenofovir gel trial in women provided proof-of-concept for PrEP—that antiretrovirals can prevent sexually transmitted HIV infection. PrEP is now used for HIV prevention in over 100 countries. He is co-inventor on patents

used in HIV vaccine candidates and passive immunization strategies with broadly neutralizing antibodies against HIV.

He has been ranked among the world's most highly cited scientists by Web of Science. He has edited 3 medical textbooks and is the author of "Standing up for Science: A Voice of Reason." He is the recipient of the 2024 Lasker-Bloomberg Public Service Award and is a member of the US National Academy of Medicine. He is a Fellow of the Royal Society (FRS), UK.

Mary "Doe" is a mother and caretaker to eight children in Nairobi, Kenya. She previously relied on programs funded by USAID to conduct HIV outreach work, including by providing support to orphans with HIV. Mary's 15-year-old daughter is HIV-positive. As a result of the sudden withholding of aid, it has become increasingly difficult to obtain the antiretroviral treatments ("ARVs") needed to treat her daughter's HIV infection. ARVs are lifesaving medications necessary to stop the virus's deadly progression to AIDS. Many classmates of Mary's daughter also carry the virus, and they similarly fear that their medicine will run out.

II. Usefulness of Briefing by Prospective *Amici Curiae*

Movants respectfully submit that their proposed brief would be useful to the Court in determining whether to grant Plaintiffs-Appellees' Petition for Rehearing En Banc.

PHR has conducted research on the impacts of U.S. global health funding cuts in Ethiopia, the DRC, Kenya, Tanzania, and Uganda. Dr. Davey and Dr. Abdool Karim have witnessed firsthand the effects which cuts are having on global health interventions, including at clinics with which they work and conduct research studies. Mary “Doe” is experiencing those effects firsthand, as she struggles to secure treatment for her 15-year-old daughter, who has HIV. Movants thus have expertise and knowledge that is directly relevant to the petition for rehearing *en banc*.

In particular, Movants’ proposed brief seeks to aid the Court in determining whether the balance of the equities and the public interest weigh in favor of granting rehearing *en banc*. The brief details the human toll exacted by the sudden withholding of aid, which has unleashed a torrent of global health crises that grow more acute by the day. The brief situates these harms within the context of USAID’s historical successes in advancing global health, including through well-demonstrated reductions in mortality, decreases in the spread of disease, and increased access to healthcare. The brief demonstrates how these accomplishments have redounded to the benefit of the American public—consistent with Congress’s longstanding determination that foreign aid is in the U.S. national interest. Finally, the brief describes the mounting threats to U.S. public health due to the withholding of aid.

CONCLUSION

For the foregoing reasons, Movants respectfully request that the Court invite them to file the accompanying *amici curiae* brief.

Respectfully submitted,

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Dated: August 20, 2025

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing motion complies with the requirements of Fed. R. App. P. 27(d) because it has been prepared in 14-point Times New Roman, a proportionally spaced font. I further certify that this response complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 1,120 words according to the count of Microsoft Word.

Respectfully submitted,

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Dated: August 20, 2025

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the appellate CM/ECF system on August 20, 2025.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Respectfully submitted,

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